

***Effective 5/10/2016***

**26-36b-210 Outpatient upper payment limit supplemental payments.**

- (1) For purposes of this section, "UPL gap" means the difference between the private hospital outpatient upper payment limit and the private hospital Medicaid outpatient payments, as determined in accordance with 42 C.F.R. 447.321.
- (2) Beginning on the effective date of the assessment imposed under this chapter, and for each fiscal year thereafter, the department shall implement an outpatient upper payment limit program for private hospitals that shall supplement the reimbursement to private hospitals in accordance with Subsection (3).
- (3) The supplemental payment to Utah private hospitals under Subsection (2) shall:
  - (a) not exceed the positive UPL gap; and
  - (b) be allocated based on the Medicaid state plan.
- (4) The outpatient data used to calculate the UPL gap under Subsection (1) shall be the same outpatient data used to allocate the payments under Subsection (3).
- (5) The supplemental payments to private hospitals under Subsection (2) shall be payable for outpatient hospital services provided on or after the later of:
  - (a) July 1, 2016;
  - (b) the effective date of the Medicaid state plan amendment necessary to implement the payments under this section; or
  - (c) the effective date of the coverage provided through the health coverage improvement program waiver under Section 26-18-411.

Enacted by Chapter 279, 2016 General Session